

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION	DOCKET No.:	PF 53325
OF: AMMERMANN ET AL.	CONFIRMATION No.:	2835
SERIAL No. 10/506,502	GROUP ART UNIT:	1616
FILED: SEPTEMBER 03, 2004	EXAMINER:	A. N. PRYOR
FOR: FUNGICIDAL MIXTURES BASED ON PROTHIOCONAZOLE AND CONTAIN- ING AN INSECTICIDE		

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S U B M I S S I O N

Sir:

This is in reply to the Notification of Non-Compliant Appeal Brief dated November 27, 2007. Accordingly, it is respectfully requested that the Status of the Claims section set forth in appellants' Brief dated November 14, 2007, be replaced by the attached Substitute Status of the Claims section.<sup>1)</sup> Favorable action is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 14.1437. Please credit any excess fees to such deposit account.

Respectfully submitted,  
NOVAK DRUCE DELUCA & QUIGG

/James Remenick/ James Remenick  
Reg. No. 36,902

Customer No.: 26474  
1300 Eye Street, N.W.  
Suite 1000 West Tower  
Washington, D.C. 20005  
(202) 659-0100

Encl.: SUBSTITUTE STATUS OF THE CLAIMS

JR/BAS

---

1) Cf. page 2 of this paper.

SUBSTITUTE STATUS OF THE CLAIMS

The claims currently pending in this application are Claims 1 to 6 and 8, 9, 12 and 13. A copy of these claims is found in the attached Claims Appendix. Claims 12 and 13 are on Appeal before the Board of Patent Appeals and Interferences. The status of the claims is as follows:

- Claim(s) 1 to 6, 8, 9, 12 and 13 is(are) pending;
- Claim(s) 7, 10 and 11 is(are) canceled;
- Claim(s) 12 and 13, which correspond to canceled Claims 10 and 11, is(are) rejected;
- Claim(s) 1 to 6, 8 and 9 is(are) allowed;
- Claim(s) -- is(are) withdrawn; and
- Claim(s) -- is(are) objected to.